

Disciplinary Action

345.1 PURPOSE AND SCOPE

The following disciplinary procedure shall be employed in all disciplinary actions. The purpose of this policy is to give directions and guidance and not be so limited that it is binding in the manner discipline is administered.

In administering discipline, several variables must be taken into consideration, example being the severity of the violation, the personal record of the individual, the degree of cooperations with the individual, and the number of previous violations.

345.2 MINOR INFRACTIONS

Minor infractions of policy that are not repetitive can be handled by the supervisor by counseling the employee on the nature of the infraction. Minor infractions of policy that are repetitive in nature will be dealt with on an escalating scale. This could include verbal counseling, written counseling, written reprimand, and up to suspension. In all cases the disciplinary action taken will be document and added to the individuals personnel file.

345.3 MAJOR POLICY VIOLATIONS

Major policy violations will be handled according to the degree of the violation and whether of not it is repetitive in nature. Disciplinary action for a major policy violation could range from a letter of reprimand to suspension. Depending on the severity of the violation charges could be brought before the Hudson Police and Fire Commission, which could impose disciplinary action to include suspension, demotion, and possibly termination.

345.4 DISCIPLINARY CONSIDERATIONS

Prior to taking disciplinary actions the supervisor responsible for issuing the discipline shall give full consideration to the following:

- (a) Does the supervisor know all the facts of the violation(s) correctly?
- (b) Is the policy which has been violated reasonable?
- (c) Did the officer or employee know of the policy or should have they reasonably known about it?
- (d) Has the policy been strictly enforced in the past? If not, what recent notice to officers or employees has been given that violations of this type will no longer be tolerated?
- (e) In this instance, is the policy being applied reasonable?
- (f) Is the officer or employee guilty of the violation or only guilty by association with another person involved?
- (g) Can the officer's or employee's guilt be proven by direct, objective evidence, or is the evidence circumstantial or hearsay?

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- (h) Does the officer or employee have a reasonable excuse for the violation of the policy or not following a supervisory order?
- (i) What is the officer's or employee's record of past violations, warnings and other disciplinary actions?
- (j) What is the officer's or employee's length of service to the department?
- (k) Is the officer or employee receiving the same discipline that others have received in the same situation?
- (l) Does the disciplinary action fit the violation?